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PTO/SB/82 (10-00)

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**REVOCATION OF POWER OF  
ATTORNEY OR  
AUTHORIZATION OF AGENT**

Application Number	09/833,219
Filing Date	April 10, 2001
First Named Inventor	Eric Klinker
Group Art Unit	2661
Examiner Name	Unknown
Attorney Docket Number	PA2384US

I hereby revoke all previous powers of attorney or authorizations of agent given in the above-identified application:

A Power of Attorney or Authorization of Agent is submitted herewith.

OR

Please change the correspondence address for the above-identified application to:

Customer Number 22830



OR

<input type="checkbox"/> Firm or Individual Name			
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Address			
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I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

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MAY 14 2002

Technology Center 2600

SIGNATURE of Applicant or Assignee of Record

Name	Timothy Reilly Vice President of Finance for netVmg, Inc.
Signature	
Date	5/14/02

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

\*Total of \_\_\_\_\_ forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Eric Klinker et al.Application No./Patent No.: 09/833,219 Filed/Issue Date: April 10, 2001Entitled: System and Method to Assure Network Service Levels With Intelligent RoutingnetVmg, Inc., a corporation,

(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of less than the entire right, title and interest.

The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 12140, Frame 0974, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
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Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

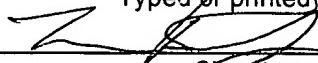
[NOTE: A separate copy (*i.e.*, the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

4/18/02  
\_\_\_\_\_  
Date

Timothy Reilly

Typed or printed name

  
Signature

Vice President of Finance netVmg, Inc.

Title

**ASSIGNMENT OF PATENT APPLICATION**

**JOINT**

WHEREAS, Eric Klinker, of 480 South 21st Street , San Jose, CA 95115; Jeremy Johnson, of 5850 Chabot Court, Oakland, CA 94618; Allwyn Sequiera, of 21225 Saratoga Hills Road, Saratoga, CA 95070; hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention:      System and Method to Assure Network Service Levels With Intelligent Routing

Date(s) of execution of Declaration:      **August 2, 2001**

Filing Date:      April 10, 2001

Application No.:      09/833,219; and

WHEREAS, netVMG, Inc, located at 1020 Rincon Circle, San Jose, CA, 95131, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignors hereby authorize and request Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8<sup>th</sup> Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Assignment  
Attorney Docket No.: 021089-000100US  
Page 2

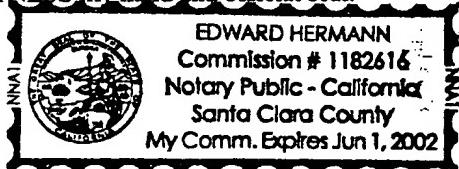
Dated: 8/2/01

  
Eric Klinker

STATE OF CALIFORNIA )  
COUNTY OF Santa Clara) ss.

On 8/2/01, before me, Edward Hermann, personally appeared Eric Klinker, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



  
NOTARY PUBLIC

My Commission Expires: Jun 1, 2002

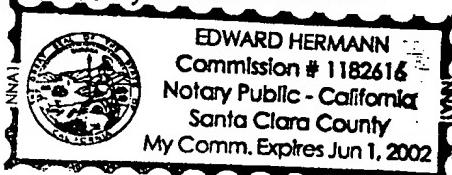
Dated: 8/2/01

  
Jeremy Johnson

STATE OF CALIFORNIA )  
COUNTY OF Santa Clara) ss.

On 8/2/01, before me, Edward Hermann, personally appeared Jeremy Johnson, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



  
NOTARY PUBLIC

My Commission Expires: Jun 1, 2002

Assignment  
Attorney Docket No.: 021089-000100US  
Page 3

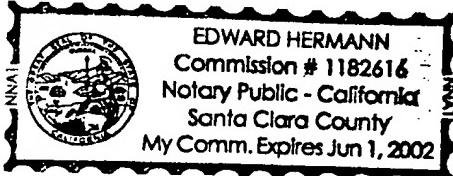
Dated: 8/2/01

Allwyn Sequera  
Allwyn Sequera

STATE OF CALIFORNIA )  
COUNTY OF Santa Clara) ss.

On 8/2/01, before me, Edward Hermann, personally appeared Allwyn Sequera, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

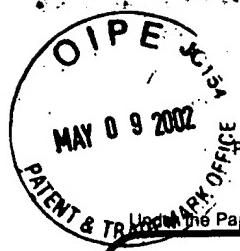
WITNESS my hand and official seal.



Edward Hermann  
NOTARY PUBLIC

My Commission Expires: June 1, 2002

SF 1251168 v1



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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Application Number	09/833,219
Filing Date	April 10, 2001
First Named Inventor	Eric Klinker
Group Art Unit	2661
Examiner Name	Unknown
Total Number of Pages in This Submission	6
Attorney Docket Number	PA2384US Technology Center 2600

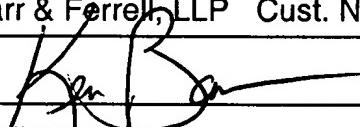
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## ENCLOSURES (check all that apply)

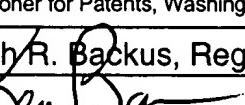
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address 110/5882	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> Statement Under 37 C.F.R. 3.73(b)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> Copy of Assignment to netVmg
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Total page number does not include postcard.	

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Carr & Ferrell, LLP Cust. No. 22830	
Signature	 Reg. No. 48,861	
Date	April 30, 2002	

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: April 30, 2002

Typed or printed name	Kenneth R. Backus, Reg. No. 48,861	
Signature		Date
	April 30, 2002	

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